

**REMARKS**

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 11, 12, and 14-22 are pending in the application, with claim 20 being the only independent claim. Claims 11, 12, and 14-22 have been added or amended to more clearly point out and distinctly claim the invention. Descriptive support for the new claims and the amendments is found in the specification as filed. These new claims are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

**Claim Rejections Under 35 U.S.C. § 102**

The Examiner rejected claims 10-15, and 17 under 35 U.S.C. § 102(b) as allegedly having been anticipated by the Becker *et al.* patent (3,937,353). Upon cancellation of independent claim 10 and dependent claim 13, this rejection is now moot. New independent claim 20 and rejected dependent claims 11, 12, 14 and 15 are, however, clearly patentable over the cited reference.

Newly added independent claim 20 now recites a first plurality of support assemblies connected to a substantially horizontal wall of the tank and a second plurality of support assemblies connected to a substantially vertical wall of the tank. The first plurality of support members provide vertical load support for the horizontal wall and permit relative sliding motion in a substantially horizontal direction. However, Becker *et al.* does not suggest or disclose, the claimed elements of a first plurality of support assemblies on a horizontal wall providing vertical support. As shown in figures 1-4, Becker *et al.* only discloses a support assembly along the vertical walls of the tanks and specifically fails to teach or even fairly suggest any support assemblies in on the horizontal walls of the tank.

Therefore, because Becker *et al.* neither teaches nor suggests each and every element of the present claims, Becker *et al.* does not anticipate the presently claimed invention or render it

obvious. As such, the Applicants believe that claim 20 is now allowable over Becker *et al.* and likewise by their dependency, claims 11, 12, 14-19, 21, and 22 are also allowable as being dependent from claim 20.

The Examiner also rejected claims 10-16 and 19 under 35 U.S.C. § 102(b) as allegedly having been anticipated by the Cavanna *et al.* patent (4,156,492). Upon cancellation of independent claim 10 and dependent claim 13, this rejection is now moot. New independent claim 20 and rejected dependent claims 11, 12, 14-16 and 19 are, however, clearly patentable over the cited reference.

As mentioned above, newly added independent claim 20 now recites a first plurality of support assemblies connected to a substantially horizontal wall of the tank and a second plurality of support assemblies connected to a substantially vertical wall of the tank. The first plurality of support members provide vertical load support for the horizontal wall and permit relative sliding motion in a substantially horizontal direction. However, Cavanna *et al.* does not suggest or disclose each and every element of the newly added independent claim 20. In particular, Cavanna *et al.* fails to disclose a first plurality of support assemblies on a horizontal wall providing vertical support. As shown in figure 1 of Cavanna *et al.*, the support assemblies are located only on the vertical walls at about one third and two thirds down from the top of the tank walls. Cavanna *et al.* fails to disclose or fairly suggest a first plurality of support assemblies on any horizontal wall.

Therefore, because Cavanna *et al.* neither teaches nor suggests each and every element of the present claims, Cavanna *et al.* does not anticipate the claimed invention or render it obvious. As such, the Applicants believe that claim 20 is now allowable over Cavanna *et al.* and likewise by their dependency, claims 11, 12, 14-19, 21, and 22 are also allowable as being dependent from claim 20.

The Examiner also rejected claims 10, 11, 15, and 18 under 35 U.S.C. § 102(b) as allegedly having been anticipated by the Alleaume patent (3,853,240). Upon cancellation of independent claim 10 and dependent claim 13, this rejection is now moot. New independent claim 20 and rejected dependent claims 11, 12, 15 and 18 are, however, clearly patentable over the cited reference.

As mentioned above, newly added independent claim 20 now recites a first plurality of support assemblies connected to a substantially horizontal wall of the tank and a second plurality of support assemblies connected to a substantially vertical wall of the tank. The first plurality of support members provide vertical load support for the horizontal wall and permit relative sliding motion in a substantially horizontal direction. However, Alleaume does not disclose each and every element of the newly added independent claim 20. Alleaume does not disclose or even fairly suggest a first plurality of support assemblies on a horizontal wall providing vertical support. As shown in figure 1 of Alleaume, the support assemblies 109 and 110 cited by the Examiner are specifically located along a substantially vertical side of the tank. Alleaume fails to teach any support assemblies on any substantially horizontal wall, let alone any support assemblies on a horizontal wall that provide vertical support.

Therefore, because Alleaume neither teaches nor suggests each and every element of the present claims, Alleaume does not anticipate the claimed invention or render it obvious. As such, the Applicants believe that claim 20 is now allowable over Alleaume and likewise by their dependency, claims 11, 12, 14-19, 21, and 22 are also allowable as being dependent from claim 20.

Therefore, the Becker *et al.* patent, the Cavanna *et al.* patent and the Alleaume patent, alone or in combination, do not anticipate or fairly suggest the invention as claimed in the independent claim 20. Applicants believe that claim 20 is now allowable as presented and, because dependent claims inherently include all the elements from claims from which they depend, the dependent claims 11, 12, 14-19, 21, and 22 should also be allowable as being dependent from allowable claim 20.

**CONCLUSION**

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Michael Bell at (202) 383-6500.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

  
Michael J. Bell  
Registration No. 39,604

Date: October 19, 2004

HOWREY SIMON ARNOLD & WHITE, LLP  
Box No. 34  
1299 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2402  
(202) 783-0800